

**ZONING BOARD OF ADJUSTMENT  
MINUTES**

**APRIL 4, 2022**

Meeting advertised according to the New Jersey Sunshine Law

Roll call: attending: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat,  
Mr. Gelley, Mr. Halberstam  
Absent: Moshe Ingber, Mordy Gross,  
Arrived late: Mr. Lankry, Mr. Gartenhaus  
Also attending: Jerry Dasti, Board attorney  
Terry Vogt, Engineer/Planner  
Francine Siegel, Secretary

Salute to the flag.

Motion to approve minutes of March 7, 2022 - Mr. Naftali

Second – Mr. Ribiat

Roll call vote: affirmative: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat, Mr. Halberstam

**Appeal # 4107 – High Point Condo Assoc.** Block 423 Lot 156, Massachusetts Avenue, request for a two year extension of time.

Mr. Flannery – they would like two one-year extensions. Taking longer than expected.

Motion to approve – Mr. Gelley

Second – Mr. Ribiat

Roll call vote: affirmative: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat, Mr. Gelley, Mr. Halberstam

**Appeal # 4217 – Cellco Partnership** – 900 Lakewood Ave., Block 44 Lot 1, R-12 zone – request to carry to the May 2<sup>nd</sup> zoning board meeting.

No further notice and waiver of time.

Motion to carry – Mr. Ribiat

Second – Mr. Gleiberman

Roll call vote: affirmative: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat, Mr. Gelley, Mr. Halberstam

**Appeal # 4234 – Aron Kantor -25 Sherwood Drive**, Block 778 Lot 87, R-10 zone. Use variance for duplex on an undersized lot; 12,000 sf required, 10,500 proposed.

Motion to carry until May 2<sup>nd</sup> – Mr. Gelley

Second – Mr. Ribiat

Roll call vote: affirmative: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat, Mr. Gelley, Mr. Halberstam

No further notice and a waiver of time

**Appeal # 4210 - Aderet Offices, LLC** – 2017 Lanes Mill Road, Block 188 Lot 210, R-20 zone. Use variance for an office building.

Adam Pfeffer, attorney for applicant asked to carry since there was only 5 members available to the May 2<sup>nd</sup> meeting.

Motion to carry – Mr. Gleiberman

Second – Mr. Ribiat

Roll call vote: affirmative: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat, Mr. Gelley, Mr. Halberstam

No further notice. Waiver of time.

Chairman announced that Mr. Gartenhaus has arrived and will be seated for the night.

**Appeal # 4225 – 19 Chestnut Way LLC**, 410 E. Kennedy Blvd, Block 142 Lot 15, OT zone.  
Use variance requested to construct duplexes.

Miriam Weinstein, attorney for applicant. This is next door to an existing duplex. The board asked to come back.

Brian Flannery, engineer/planner, sworn.  
The buildings were pushed back.  
There will be 1 outside entrance to the basement.  
No outside stairs to the attic.

A-5 architecturals

Open to Public

Lori Wright, 102 Colony Circle, sworn. There is not enough room or parking to build a house. There is a bus stop there like in between the 2 houses. Objected to project.

Mr. Flannery – the applicant will get County approval. There is a turn-a-round on the property. The bus stop takes up 3 parking spaces. There is an existing house on the property.

Gerri Ballwanz, 208 Governors Road, objected to the project. Concerned that Kennedy Blvd is a road that leads to Route 9. There is no play area for the duplexes.

Closed to public.

Mr. Flannery - There will be 4 parking spaces per duplex. Consistent with adjacent approval. Garbage cans will be right next to the driveways.

Motion to approve with a 4 fence along the easterly property line – Mr. Naftali  
Second – Mr. Gleiberman  
Roll call vote: affirmative: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat, Mr. Gelley,  
Mr. Halberstam

**Appeal # 4212 – Mordechai Finkelstein**, 465 Chestnut Street, Block 1159.04 lot 21, R-20 zone.  
Preliminary and final subdivision to create 6 lots (3 duplexes)

Brian Flannery, engineer/planner sworn.

Mr. Flannery testified that the previous application proposed 3 duplexes and a single family.

Revised plans – there will no longer be driveways on Clinton Avenue, Two units will face Chestnut Gardens and 1 duplex will face Chestnut Street. Asking for a front setback on Clinton Avenue. Asking for a 15 - foot front setback variance on Clinton Avenue to accommodate the driveways.

Mr. Flannery reviewed Terry Vogts report dated November 24<sup>th</sup>, 2021.

Terry Vogt - received revised plans on March 24<sup>th</sup> – did not do a revised review

Chairman – without a review we cannot move on.

Mr. Flannery – will provide notice if necessary.

**ZONING BOARD OF ADJUSTMENT  
MINUTES**

**APRIL 4, 2022  
PAGE 3.**

Motion to carry until 5/2 – Mr. Lankry

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gleiberman, Mr. Lankry, Mr. Naftali, Mr. Ribiat,  
Mr. Gartenhaus, Mr. Gelley, Mr. Halberstam

**Appeal # 4227 -Shimon Grinberger**, 801 Park Avenue, Block 230 Lot 14, R-10 zone. To construct a 2-story home with setback variances and lot coverage variance requested.

Adam Pfeffer represented applicant.

Brian Flannery, engineer/planner, sworn – reviewed Terry Vogts report

Wants to build a single family home. Variance requested for front yard setback; 17.4 feet on Park Avenue – required 30 feet. Proposing 23 feet on E. 8<sup>th</sup> Street required 30 feet.

There will be 1 basement apartment

No attic stairs from the outside

Mr. Halberstam – a little to aggressive. The house is 32 x 84.

Mr. Lankry – come back with a better plan.

Motion to carry to May 2 – Mr. Gelley

Second – Mr. Lankry

Roll call vote: affirmative: Mr. Gleiberman, Mr. Lankry, Mr. Naftali, Mr. Ribiat,  
Mr. Gartenhaus, Mr. Gelley, Mr. Halberstam

No further notice.

**Appeal # 4224 – 60 Drake Road, LLC**. Drake Road, Block 251.02 lot 95, R-40 zone. To construct 6 single family homes.

Miriam Weinstein represented applicant. Use variance requested. This is not a developer.

Brian Flannery – will work with neighboring developers for sewer extension and the side walk installation. Sewer has to be extended. 5 lots will be on the cul de sac.

A-1 tax map sheet 75 showing current developments underway

A-2 final plat showing 6 lots

A-3 aerial view

Mr. Flannery reviewed Terry Vogts report. All of the lots will be more than 12,000 square feet. These will be custom lots and will be built according to the ordinance. There will be 4 parking spaces per lot. In order to only build two houses the would have to extend the sewer, put in a sidewalk and put in a cul-de-sac.

Mr. Halberstam - Concerned about the road widening of Cross Street. Think that we should wait until the Cross Street construction begins. The Governing body said that the zone should not be changed until the widening of Cross Street.

Ms. Weinstein – Phase I is from Route 9 to the tracks and Phase 2 is from the tracks until this property. The Governing body said that this should not be changed to the R-12 zone until the widening of Cross Street.

Mr. Dasti – Right now it an R-40 zone.

**ZONING BOARD OF ADJUSTMENT  
MINUTES**

**APRIL 4, 2022  
PAGE 4.**

Mr. Flannery - In this development they would have to put up a retaining wall and the next developer takes it down.

Open to Public.

Motion to approve 6 houses with basements not finished until Phase 2 is done – Mr. Gelley  
Second – Mr. Naftali

Roll call vote affirmative: Mr. Lankry, Mr. Naftali, Mr. Ribiat, Mr. Gelley

Nays: Mr. Gleiberman, Mr. Gartenhaus, Mr. Halberstam

Application denied.

Mr. Lankry had to leave the meeting.

Recess.

**Appeal # 4229 – SGS Development**, Block 1159 Lots 40 & 87, R-20 one. Use variance to construct 6 duplexes (total 12 units) and one triplex (3 units)

Adam Pfeffer, attorney for applicant. Asked to carry to 5/2/22

Motion to carry – Mr. Gelley

Second -Mr. Naftali

Roll call vote affirmative: Mr. Gleibman, Mr. Naftali, Mr. Ribiat, Mr. Gartenhaus,  
Mr. Gelley, Mr. Halberstam

No further notice.

**Appeal # 4243 - Shimon Prag**, 1303 Twin Oaks Drive, Block 174.11 Lot 43.02, R-15 zone. To construct an addition requesting variance for front yard setback, side yard setback, lot coverage and parking.

Lack of information –

Motion to carry to May 2, 2022 with re-notice – Mr. Ribiat

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat, Mr. Gartenhaus, Mr. Gelley,  
Mr. Halberstam

**Appeal # 4238 – Bernard Steinharter**, 307 Pine Street, Block 774.04 Lot 13.01, R-10 zone. To construct a home with variances needed for site yard & aggregate side yard.

Miriam Weinstein, on behalf of applicant. This is a new residence for end uses, lot is undersized. 7,600 square feet. Lot area and lot width variances have already been granted. The only new variance is for side yard setbacks asked for 7 ½ feet on both sides were approved. An adjacent neighbor asked for 8 ½ feet on his side and 6 ½ feet on the synagogue side. Combined will remain at 15 feet

Brian Flannery, sworn.

A-1 page 107 of the tax map

A-2 copy of the proposed dwelling.

A-3 – copy of architecturals

A-4 aerials

**ZONING BOARD OF ADJUSTMENT  
MINUTES**

**APRIL 4, 2022  
PAGE 5.**

Mr. Flannery - This lot was created by a subdivision for a shul and residential homes. They will move the stairs out of the side yard setback.

Mr. Ribiat – this looks like a 3 family house.

Mr. Flannery testified that there is only one entrance to the basement outside. The inside entrance to the basement goes to a mechanical room.

Open to Public. Closed to Public.

Motion to approve 6.9 by the shul & 8.5 on the right – Mr. Gelley

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat, Mr. Gartenhaus, Mr. Gelley,  
Mr. Halberstam

**Appeal # 4239 – Aron Levy**, 6 Cedar Court, Block 423 Lot 7, R-7.5 zone. Additions to single family house, requested side yard setback variances.

Brian Flannery, sworn. They want to put an addition on each side. Existing small house. Property is right on Route 9. Reviewed Terry Vogts report.

A-1 tax map

A-2 copy of variance plan

A-3 architectural plans

Mr. Flannery – Existing is a single story home. Will be a completely 2 story home. 62 feet by 24 feet. Not seeking any parking variances. There is not an existing rental now.

Rivka Levy, affirmed. There is an existing basement now but there is no apartment.

Open to Public. Closed to Public.

Motion to approve – Mr. Naftali

Second – Mr. Gleiberman

Roll call vote: affirmative: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat, Mr. Gartenhaus,  
Mr. Gelley, Mr. Halberstam

**Appeal # 4242 – Pine Blvd CB, LLC**, Pine Blvd. Block 430 Lot 5, HD-7 zone. Use variance to construct a new home according to the R-7.5 zone requirements.

Miriam Weinstein represented applicant

Brian Flannery, engineer, planner, sworn.

A-1 copy of tax map showing existing lot

A-2 copy of plan

A-3 architectural plans

A-4 aerial map

Mr. Flannery, single family home to the east and a shul to the west of this property. The lot is almost 10,000 square feet. A single family house is not permitted.

Ms. Weinstein – a duplex is permitted on a 10,000 square foot lot

Open to Public. Closed to Public.

Motion to approve – Mr. Naftali

Second – Mr. Ribiat

Roll call vote: affirmative: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat, Mr. Gartenhaus,  
Mr. Gelley, Mr. Halberstam

**Appeal # 4241 – Aaron Puretz**, 309 Miller Road, Block 12 Lot 199 & 201, R-12 zone. Front setback variance of 10 feet for pool where 30 feet is required.

Brian Flannery, engineer, planner, sworn. This is a corner lot. Applicant wants to build a pool. The pool is 20 x 40. There is also a pool house on the lot.

Mr. Halberstam asked that the pool be moved back a little or make the pool smaller.

Uri Sevy, affirmed.

There was a question which way the house faces. There is also a pool house on the property. He is building a pool house without a permit.

Mr. Flannery – the lots will be consolidated. This issue is for the setback for the pool for the front property.

Open to Public. Closed to Public.

Motion table until May 2 to rework the application – Mr. Naftali

Second – Mr. Ribiat

Roll call vote: affirmative: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat, Mr. Gartenhaus,  
Mr. Gelley, Mr. Halberstam

**Appeal # 4163A – Yosef Magid**, Stratford Street & Florence Street, Block 1078 Lots 1 & 3, B-5 zone. Major subdivision to construct 6 duplexes.

Brian Flannery, engineer/planner, sworn.

A -1 sheet 143 of the tax map showing subject property

A-2 site development plan showing the 6 duplexes

A-3 aerial exhibit.

Mr. Flannery - Previously granted duplexes. Asking for 34.4% lot coverage. The use is not permitted in the zone. Stratford does not exist right now. The zone allows 35% lot coverage.

Mr. Dasti - You approved the plan that was submitted.

The B-5 zone allows 30%

Open to Public. Closed to Public.

Mr. Vogt - There were no architecturals submitted.

Mr. Flannery – we will provide on May 2<sup>nd</sup>.

Mr. Halberstam suggested that architecturals be submitted and they will review before they memorialize the resolution.

**ZONING BOARD OF ADJUSTMENT  
MINUTES**

**APRIL 4, 2022  
PAGE 7.**

Sam Rabinowitz, 800 South Lake Drive, affirmed.

Motion to approve - Mr. Ribiat

Second – Mr. Gleiberman

Roll call vote: affirmative: Mr. Gleiberman, Mr. Naftali, Mr. Ribiat, Mr. Gartenhaus,  
Mr. Gelley, Mr. Halberstam

**Resolutions**

Mr. Dasti announced that **Appeal # 4222A – Leah Gelley**, 429 15<sup>th</sup> St, Block 58 Lot 6, R-12 zone. He did not include one of the variances requested and he revised the resolution. Revised resolution to allow 18 - foot combined side yard setback.

**Appeal # 4074A – Somerset Management, LLC**, East County Line Road, Block 174.11 Lots 41.01, 42, 43.07 & 45.01, R-12 zone. Resolution to amend application to remove the subdivision portion of the previous application and stick with the use variance for the parking lot.

**Appeal # 4228 – David Fisher**, Shonny Court, Block 11 Lot 1.04, R-15 zone. Resolution to approve the construction of a pool and pool house, variances approved for rear yard setback and lot coverage.

**Appeal # 4207 – Samson Weiss**, 123 10<sup>th</sup> Street, Block 134 Lot 18, **Application withdrawn.**

To construct a duplex on an undersized lot – proposed 11,250 required 12,000.

**Appeal # 4233 – Mordechai Brenner**, Block 855.06 Lot 25.04, R-20 zone. Resolution to approve side yard setback variance of 7.2 feet.

**Appeal # 4236 - Baruch Jeremias**, 210 Miller Road, Block 11.15 Lot 2, R-15 zone. Resolution to approve front yard setback of 10 feet and 27 feet for pool and pool house where 30 feet is required.